

COMMERCE DEPARTMENT FUNDS BLATANT
LOBBYING

(By Marshall Wittman and Charles P.
Griffin)

No part of the money appropriated by any enactment of Congress shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any . . . printed or written matter, or other device, intended or designed to influence in any manner a Member of Congress, to favor or oppose . . . any legislation . . . 18 USC 1913

Opponents of the effort to end 40 years of political corruption manifested in a system of taxpayer-subsidized lobbying often state that existing federal law already prohibits using grant funds for advocacy. They cite the above section of the U.S. Code to defend this view.

It appears, however, that the law is irrelevant. In recent weeks, the Department of Commerce has provided \$200,000 to HandsNet, Inc., a California group which operates an online computer service focused on lobbying and available on the Internet. According to its own Internet-based documents, HandsNet links "5,000 public interest and human service organizations across the United States." Among the services offered: "the latest Action Alerts."

A description of the grant award prepared by the grant provider, the National Telecommunications and Information Administration (part of the Commerce Department), specifically mentions that the grant will allow "National organizations [to] help local ones keep up to date by publicizing action alerts. . . ." A recent selection of alerts includes:

"Istook Amendment—Call Your Representatives 10/30/95—Now is the time to turn up the heat. . . . So Call, E-Mail, or Fax Your Representative Today!"

"Give President Clinton a Wake-Up Call—If President Clinton signs immoral welfare and Medicaid 'reform' bills, the 60-year-old guaranteed safety net for children will be destroyed."

"Stop English-only Proposals in Congress 10/24/95—Call and write to your Representative and Senator. Ask to meet with them directly."

"Congress Yields To Traditional Values Coalition—The hearing, dubbed 'Parental Involvement in Social Issues in Education' . . . is likely to become a tax-funded platform for gay bashing."

Each of the alerts is supported by information to describe what action needs to be taken and what arguments can be used to lobby Congress most effectively.

ABOUT THE GRANT TO HANDSNET

The \$200,000 awarded to HandsNet, Inc., of California was to be used for the nationwide training of public interest organizations on how to use the Internet more effectively. The NTIA award summary states that HandsNet "will train 250 organizations in Internet skills, so that they can publish information on the new system." In addition, HandsNet will "conduct a national outreach campaign" to introduce human services groups to the Internet.

The major component of the grant appears to be a new training center in Washington, D.C. The center will be fully functional around January 1, 1996, according to HandsNet documents, but is housed temporarily at the headquarters of Families USA (funder of the 1994 Clinton health care bus caravans). The national center will be operated in conjunction with the Institute for Global Communications, also of California.

ABOUT HANDSNET

In reviewing the HandsNet site on the Internet, it appears that its principal pur-

pose is explicit political advocacy. The site has been used in recent months to fight welfare reform and the Istook-McIntosh-Ehrlich Amendment, among many other issues. The three key information components provided are Action Alerts, a Weekly Digest (a summary of the alerts) and daily updates on key issues. According to its Internet site, HandsNet is affiliated with the Institute for Global Communications, an arm of the Tides Foundation. Members of HandsNet include the major opponents of the Istook-McIntosh-Ehrlich reform effort, including OMB Watch and the Alliance for Justice.

ABOUT THE TELECOMMUNICATIONS AND INFORMATION INFRASTRUCTURE ASSISTANCE PROGRAM TIAP

The Telecommunications and Information Infrastructure Assistance Program is operated by NTIA in the Commerce Department. Under the Clinton Administration, this program has mushroomed in cost, from \$10 million in FY 1994 to \$25 million in FY 1995. In 1994 there were 92 grants; in the most recent round (to be announced in mid-November, has already awarded), there are 120. There also are indications that the TIAP may subsidize other lobbying activities, in addition to those of HandsNet, Inc.

According to NTIA documents, the Planned Parenthood Federation of America received \$300,000 in 1994 to set up a "nationwide on-line information system" for itself and all 164 affiliates. Also in 1994, a California organization called LatinoNet received funding to "establish a network of regional field representatives" and "demonstrate a model for building a national grassroots information system," among other things.

Organizations that filed proposals and applications for funding in the FY 1995 process include Families USA, ACORN (which led noisy demonstrations in Congress earlier this year), the Congressional Black Caucus Foundation, and Citizens Fund (an affiliate of Citizen Action, an active grassroots lobbying organization). It is unclear which, if any, will receive funding.

CONCLUSION

The Commerce Department, through NTIA, has awarded a grant to an online lobbying organization for the specific purpose of engaging more groups in its Internet advocacy efforts. The \$200,000 gift to HandsNet, Inc., to train people in the publishing of action alerts and other lobbying materials represents a blatant misuse of taxpayer funds.

Supporters of taxpayer-funded political patronage argue that the current system is designed to prevent abuses. The case of the Commerce Department and HandsNet, Inc., provides a serious test of this claim. The fact that such a significant grant could be made with no effort to hide the fact that it directly funds lobbying activities clearly demonstrates the need for Congress to reform this costly and irresponsible form of political corruption.

SAMPLE ACTION ALERT FROM HANDSNET

Help Stop Medicaid and Medicare Cuts! Call Your Legislators and Mail a Card to the President TODAY!

Unless we all pitch in, Congress may demolish the Medicaid and Medicare programs. During September, the House and Senate will be working out the details of their budget plan, which includes huge cuts in Medicaid and Medicare. If we don't stop them, the health care and long term care needs of millions of Americans of all ages will be in jeopardy. We need your help to stop this madness.

Campaign launched to send a message to Washington! The Save Our Security (SOS) Coalition, headed by Dr. Arthur Flemming, is spearheading a major campaign to put leg-

islators on notice: Don't cut the heart out of Medicaid and Medicare! The SOS Coalition is made up of a wide range of children's, disability, and senior groups.

Special "fight back" action cards are available. These cards are addressed to President Clinton and ask him to use his veto power to stop cuts to Medicare and Medicaid. SOS and its member groups are circulating thousands of these cards. If you would like a card for yourself, or a quantity for your organization to circulate, call 1-800-593-5041 and leave us a message saying how many you need (be sure to give your name and address slowly and clearly!).

What you can do: Read over the card. Call your Senators and your Representative using one of the toll-free numbers. Then put your name and address on the postcard to the President; use the space provided for a personal message to emphasize your concern about Medicaid, or attach a family photo to personalize your card.

Here are a few good places to find people who may be willing to participate: senior centers, day care centers, clinics, union halls, churches or synagogues.

Call the above 800 number to order cards! Provided by: Families USA.

THE CONTINUING RESOLUTION

Mr. BYRD. Mr. President, we should not lose sight of the fact that we need a Continuing Resolution because Congress has not completed its work on the fiscal year 1996 appropriation bills. The fiscal year began on October 1st and, yet, today, 6 weeks later, Congress has sent only three of the thirteen appropriation bills to the President that he signed. Congress sent a fourth one, the legislative appropriation bill, which the President, in mid-July, very unwisely vetoed.

Be that as it may, in addition, congressional action on the transportation and legislative appropriation bills has been completed and they are ready to go to the President. Of the eight remaining bills, seven are still in various stages of the legislative process: Defense, Interior, Foreign Operations, Treasury-Postal Service, Commerce, Justice, VA-HUD, and the District of Columbia appropriation bills. The Labor-HHS bill has not even been brought up in this Chamber—6 weeks after the fiscal year began.

One of the major causes of this failure to complete congressional action on these eight appropriation bills is the fact that virtually all of them contain controversial legislative riders, issues such as public housing reform, EPA regulatory issues, mining law reform, California desert protection, National Endowment for the Arts, prison reform, abortion, and rewriting the 1994 crime bill.

In other words, instead of completing our necessary appropriations work, Congress has chosen instead to load up our appropriation bills with items from the Republicans' so-called "Contract With America."

Now, Mr. President, this is my "Contract With America." I keep it in my shirt pocket in all of my waking hours, Sundays included. It is the Constitution of the United States. It is pretty

well-worn. It only cost 19 cents when I first gained possession of it—this Contract With America—the Constitution of the United States. That is my contract.

I have read nowhere in this Constitution of the United States that there is any constitutional requirement that we enact the so-called "Contract With America." I say it is "so-called" because it is not a legitimate contract. Any lawyer who has studied law, who has taken a course in contracts, knows that it is not a bona fide contract.

There is no constitutional requirement that Congress enact the so-called "Contract With America." But we are required by the Constitution of the United States to enact appropriation bills and only the Congress may enact appropriation bills.

The reason for the President's veto of the continuing resolution and the resolution to increase the debt limit was that the Republican majority in Congress insisted on including such controversial provisions in each of those appropriation measures. That is why we are at this impasse.

It is incumbent upon the Congress to enact a clean continuing resolution and a clean debt limit increase without adding controversial and unnecessary legislative riders to either. If Congress refuses to do so, then the blame properly lies at the doorstep of Congress.

It has been obvious for months that part of the grand strategy of the Republican majority in Congress was to threaten to shut down the Government and to force a default on our debt in order to coerce the President into accepting their misguided contract items and their misguided budget and Medicare cuts. No question but that we have to cut the budget. We all know that. And we will have to make some reductions in Medicare. But the cuts that are being proposed are, in my judgment, misguided.

A leader of the other body has been extensively and regularly quoted in the media on the subject of a Government shutdown, as well as on the question of increasing the national debt ceiling. In his statements, that leader of the other body has shown a callous disregard for those Americans who are affected adversely by this Government shutdown, as well as for the consequences of the Government's being unable to meet its debt obligations.

For example, on the question of shutting down the Federal Government, he has had the following things to say. The June 3, 1995, issue of the Rocky Mountain News quoted Speaker GINGRICH as saying: "We're going to go over the liberal Democratic part of the Government and then say to them: 'We could last 60 days, 90 days, 120 days, 5 years, a century.' There's a lot of stuff we don't care if it's ever funded."

The June 5, 1995, issue of Time magazine contained this quote by Speaker GINGRICH. I am quoting Time magazine. "He," meaning the President, "can run the parts of the Government that are

left [after the Republican budget cuts] or he"—the President—"can run no Government * * *. Which of the two of us do you think worries more about Government not showing up?"

The September 22, 1995, issue of the Washington Post attributed this quote to Speaker GINGRICH, and I am quoting the Washington Post: "I don't care what the price is. I don't care if we have no executive offices and no bonds for 30 days—not this time."

And on the question of increasing the national debt ceiling so that the Federal Government will not default on its financial commitments, the Washington Times reported on April 3 that Speaker GINGRICH vowed "to create a titanic legislative standoff with President Clinton by adding vetoed bills to must-pass legislation, increasing the national debt ceiling." That is a quote from the Washington Times of the date of April 3, 1995.

The same issue, the April 3, 1995 issue of the Washington Times, also included this quote by Speaker GINGRICH: "The President will veto a number of things and we'll then put them all"—Senators, you can see this coming; this is what is developing here; the prophecy is being fulfilled—"The President will veto a number of things and we'll then put them all on the debt ceiling, and then he'll decide how big a crisis he wants." So there you have it—the complete blueprint for the shutdown.

And finally, the November 8, 1995, issue of Investor's Business Daily contained this quote: "Gingrich has said he would force the Government to miss interest and principle payments for the first time ever to force Democrat Clinton's administration to agree to his seven-year deficit reduction."

So there should be no question in the minds of the American people as to why the shutdown of the Federal Government occurred at 12:01 a.m. yesterday morning. It is because the Republican majority decided months ago and alerted the American people months ago, called the shots months ago that there would be a shutdown and that they would create such a crisis—even though there is no reason for a Government shutdown. All Congress has to do to alleviate and remove this crisis is to simply enact an extension of spending authority for the period of time sufficient to enable Congress to complete its work on the remaining 1996 appropriation bills.

Yet, that is not what the Republican majority proposed in the Continuing Resolution which the President chose to veto. Instead, that resolution included what amounted to a 25 percent increase in Medicare Part B premiums and made even further deep cuts in education and other public investments. So, it is clear that the Republican majority created this crisis which it said would be created to coerce the President either to accept their wrong-headed proposals or to shut the Government down.

The Republicans demanded higher Medicare premiums as the price of keeping the Government running. Making seniors pay more for health care is the one part of the Republican budget agenda they picked to do first. Higher bills for seniors. The vetoed Continuing Resolution would have increased monthly Medicare premiums on January 1, 1996. Congressional Budget Office estimates indicate that the monthly increase would be \$11.00 above current law. That would mean an increase of \$264 a year in Medicare Part B premiums for an elderly couple.

Mr. President, I cannot for the life of me understand what the Republican majority thought they gained from forcing a Government shutdown at 12:01 a.m. yesterday morning by insisting on including these Medicare premium increases in the Continuing Resolution. The American people can see through this deliberately created train wreck. The November 13, 1995, issue of The Wall Street Journal contained an NBC News Poll asking the question: "Who Gets Blamed? If President Clinton and the Republican Congress don't reach a budget agreement in time to avoid a major shutdown of the federal government, who do you think will be more to blame—President Clinton or the Congress?" Forty-three percent of those polled would blame the Republican Congress; thirty-two percent would blame President Clinton; eighteen percent would blame both equally; and seven percent were not sure as to whom they would blame.

And the percentage of Americans who are discontented with Congress keeps growing. Yesterday's Washington Post contained the results from a Washington Post-ABC News Poll entitled "Battle of the Budget." The question was asked: "There's a possibility the Federal Government might have to shut down in the next few days because the Clinton administration and the Republicans in Congress can't agree on a plan to keep it running while they work on a new budget. Whose fault do you think this mainly is—Clinton's or the Republicans in Congress?" Forty-six percent of those polled place the fault of the government shutdown on the Republicans in Congress; twenty-seven percent fault President Clinton; twenty percent fault both; and two percent fault neither the Republicans in Congress nor President Clinton.

The American people, then, are becoming increasingly disgruntled with this Republican-controlled Congress.

Mr. President, how much time is there remaining?

The PRESIDING OFFICER. The time of the Senator has expired prior to the vote.

Mr. BYRD. Mr. President, I ask unanimous consent I may proceed for not to exceed 7 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, I thank the Chair.

The American people, then, are becoming increasingly disgruntled, as I

say, with this Republican-controlled Congress. The American people must be asking themselves what this game of chicken is going to cost and who is going to pay for this fiasco. It is not going to be Members of Congress—who will continue to be paid in full even if the Government shuts down.

Furloughed Federal workers by the hundreds of thousands will not be paid during this funding hiatus, nor will those who do contract work for the Federal Government. But, the President, and Senators, and Members of the House of Representatives, and Federal judges will still receive their full paychecks, no matter how long the shutdown lasts. Be assured, my colleagues, that that situation will not make our constituents love us any more than they do already—which is not very much.

Mr. President, according to the General Accounting Office, there were nine occasions over the period from October 1981 through October 1990 when there were funding gaps of 1 to 3 days. In other words, we had nine short periods, usually over weekends, when there were lapses of appropriations. Not one of these occasions approached the cost or the severity, not to mention the gross irresponsibility, of our present situation. Furthermore, I am deeply concerned by the strident tones surrounding much of the debate on this budget impasse. In the climate of violence and intolerance in American society at large at this time, the extreme rhetoric and incivility emanating from some of our national leaders seems to me to be most unhealthy.

On the last of these occasions, namely Columbus Day weekend (October 6-8, 1990), GAO estimated that the shutdown costs of seven affected Federal agencies totalled \$3.4 million. However, the cost would have been much higher if a 3-day shutdown had occurred during a normal workweek. GAO states that "the total cost of such a 3-day workweek shutdown would range from about \$244.6 million to \$607.3 million, depending upon whether revenues estimated to be lost by the IRS could be recovered." That is a lot of money that will be wasted—at least \$250 million for every 3 workdays that the Government is shut down. This is a very expensive way to prove once and for all to the American people that the Government cannot perform even its most basic responsibilities. No wonder one hears so much talk about throwing the whole lot of us out of office. This impasse is like nothing that I have ever seen before.

Mr. President, may we have order in the Senate?

The PRESIDING OFFICER. The Senate will be in order.

Mr. BYRD. This impasse is like nothing I have ever seen before in Washington. I was searching for an analogy to describe the current impasse in Washington today and I found it in an unlikely place. Guess where? The November 14, 1995, issue of the New York

Times, in its Science section, carries a story about the behavior of the great spotted cuckoo. It seems that, in order to advance its territory and deposit its eggs without the bother of doing the work of building a nest of its own, the great spotted cuckoo resorts to creative extortion.

It lays its eggs in magpie nests. If the magpies do not cooperate and hatch and raise the cuckoos' eggs, the cuckoos then destroy the whole nest, killing all the baby chicks and throwing any unhatched eggs out of the nest.

The cuckoos run a kind of "avian mafia," making an offer to the magpies that the magpies can ill afford to refuse.

It appears to me that some in the Congress may have been carefully studying these strange habits in their spare time. These disciples of the great spotted cuckoo have likewise not done their work and instead have insisted upon planting their very special "eggs" in the nests of the Continuing Resolution and the debt limit. If those eggs do not hatch or receive proper attention, these Congressional cuckoo birds fully intend to exact punishment by damaging or destroying our national economy. This is certainly not very civilized behavior.

In the case of the cuckoo, it is described as "thuggish" behavior even among animals, by the Times. One thing is certain, Mr. President. The American people must certainly view our current situation as more than a little cuckoo. I daresay they are probably watching us with utter disgust.

Mr. President, I ask unanimous consent that the New York Times article be printed in the RECORD.

Mr. President, I yield the floor.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Nov. 14, 1995]

THUGGISH CUCKOOS USE MUSCLE TO RUN EGG PROTECTION RACKET

(By Carol Kaesuk Yoon)

Biologists had ranked them among nature's most laughable dupes, inexplicably gullible bird-brains that dutifully tended eggs dumped into their nests by other bird species. For evolutionary biologists, the many species of birds that so devote themselves to a stranger's young have been something of a mystery, for even when the dumped eggs and young look nothing like their own, the birds often favor the parasites' offspring at the expense of their own.

Now a study in the journal *Evolution* offers the first evidence to support what had been considered an unlikely explanation for this behavior. Biologists studying magpies and the great spotted cuckoos that dump eggs into their nests say that the magpie hosts are not dupes at all, but have been forced into cooperation by an avian extortion scheme.

The researchers say the cuckoos return periodically to check on the nests in which they have left their eggs. If they find their young safely there, all is well. If their eggs are missing, tossed out by uncooperative magpie hosts, the cuckoos destroy the nest, killing the remaining egg or chick inhabitants wholesale. In other words, the magpies are members of an avian mafia.

"It's an offer that the birds cannot refuse," said Dr. Anders Moller, an evolutionary biologist at Copenhagen University in Denmark and an author of the study. "It's just the same as in the human mafia. If you resist, it turns out very badly."

Dr. Timothy Clutton-Brock, an evolutionary biologist at Cambridge University in England, called the paper "extremely interesting," saying that such punishment behaviors were probably widespread among animals for keeping others in line. He describes this apparently reliable and adaptive strategy for living as: "You do something nasty to me, I do something even nastier to you."

Raising a nest full of eggs and chicks is difficult, time-consuming work. There is the incubating of eggs, the chasing off of predators, the finding of food for so many peeping, gaping mouths, not to mention feeding oneself to maintain the energy to do all this intensive baby rearing. So cuckoos might well be expected to have evolved all manner of tricks to get other birds to do such work for them.

But Dr. Manuel Soler of the University of Granada in Spain said that he and his colleagues did not believe that birds engaged in such coercive behavior and had set out to disprove the theory known as the mafia hypothesis. Dr. Soler studied the great spotted cuckoos and the magpies they parasitize in high altitude plateaus in southern Spain. He worked with his brother, Dr. Juan Soler, and Dr. Juan Martinez, behavioral ecologists at the university, and Dr. Moller.

To test the hypothesis, Dr. Soler and his colleagues removed cuckoo eggs from 29 nests while leaving them in 28 nests. What they found was that in most of the nests that had had their cuckoo eggs removed either the magpie eggs or chicks that remained were later killed. In contrast, nearly all the nests in which scientists allowed the cuckoo eggs to remain were left intact.

At the same time, scientists monitored nature. The great majority of nests from which magpies had ejected cuckoo eggs on their own, without the help of scientists, were also attacked and their young inhabitants killed. Very few of those magpie nests that accepted the cuckoo eggs suffered such attacks.

Such killings, like most rare and rapid events in nature, are hard to witness. But the biologists say they are confident that the attackers were indeed the cuckoos whose eggs had been ejected. When removing eggs from nests to set up their experiment, the researchers were often scolded by cuckoos, which quickly checked the nests after researchers were done. They also followed one female cuckoo outfitted with a radio transmitter who returned to a nest from which her egg had been removed and destroyed the contents.

But most convincing was the evidence in the nests themselves. For what the biologists found were pecked eggs and wounded nestlings, all left behind by their killers. While other birds and animals attack magpie nests, such hungry predators do not leave their victims behind.

By the breeding season's end, the magpies that accepted cuckoos in their nests tended to produce more magpie young than those that ejected them, suggesting that the cost of noncompliance is high.

"The experiment they did is very convincing," said Dr. Peter Arcese, an ecologist at the University of Wisconsin in Madison. "People are going to have to take seriously the idea that these nest parasites are more sophisticated than we think."

Researchers say the data are the first to support the so-called mafia hypothesis proposed in 1979 by Dr. Amotz Zahavi, a behavioral ecologist at Tel Aviv University in Israel. Dr. Zahavi proposed that nest parasites,

like the cuckoo, might be bullying their hosts into accepting eggs under threat of violence if they did not. But in the 16 years since Dr. Zahavi's hypothesis was published, no evidence had turned up in support of it.

"He's put out a number of ideas that people have initially pooh-poohed," said Dr. Arcese, "and later people have shown that, in fact, they may operate."

Dr. Zahavi said, "Obviously it is satisfying that a model you created is found to be true at least for one cuckoo in one place."

But at the same time, researchers note that enforcement may not be the only reason that parasites like the cuckoos are destroying nests.

Dr. Arcese said that based on studies of cowbirds that parasitize song sparrows on Mandarte Island near Victoria, British Columbia, he and his colleagues had evidence that cowbirds could also cause their hosts' nests to fail. But Dr. Arcese says their studies indicate that the cowbirds may be destroying nests, not to teach the song sparrows a lesson, but for their own convenience.

Cowbirds, like other nest parasites, must find nests into which eggs are being freshly laid. In nests with older eggs or eggs of unknown age, the host's young may hatch first, ending incubation and leading to the death of the parasite's egg.

To avoid such problems, Dr. Arcese suggests that parasites, including the cuckoo, may kill young as a way of getting hosts to start another nest, where the parasites can leave their eggs at the perfect time.

Dr. Stephen Rothstein, an evolutionary biologist at the University of California at Santa Barbara, while praising the team's work as "superb," suggested a simpler explanation for the fact that many magpies keep the cuckoo eggs.

While the eggs and young of many parasites look strikingly different from that of their hosts, those of the great spotted cuckoo are good mimics of the magpie's.

"It could just be evolutionary lag," said Dr. Rothstein, describing an idea that has come out of his work with cowbirds. That is, magpies may keep cuckoo eggs simply because they have not yet evolved the ability to make the sometimes difficult distinction between the cuckoo's and their own. It is a lag that leaves the cuckoos winning the evolutionary war, at least for now.

Dr. Rothstein added that he also had evidence that parents of nests from which any eggs had been removed, whether the bird's own or a parasite's, would often desert the nest. He said this could explain the greater rate of attacks on nests from which eggs had been experimentally ejected as seen in the new study. With eggs missing, the magpie parents might be considerably less interested in tending and protecting the nests, leaving them open to attack by cuckoos or other birds.

To complicate matters even further, Dr. Rothstein said he and his colleagues have studied the same parasite, the great spotted cuckoo, in Israel where it leaves its eggs in crows' nests. Doing similar experiments, they found no evidence of mafia behavior.

But Dr. Arcese said that more and more researchers seemed to be finding such geographical differences in the behavior of these birds. One explanation is that since both the parasites and their hosts are long-lived and can learn, these complex behaviors may actually differ from place to place, depending on what they have experienced.

At the same time, researchers say that both the great spotted cuckoo and the cowbird are extending their ranges, moving into new territory and encountering new birds. Biologists say that with such changes going on, rather than some studies being wrong, all may be right, with researchers

witnessing different stages in the ongoing skirmishes of the evolutionary war between these parasites and their hosts.

RETIREMENT OF RICHARD EKSTRUM, SOUTH DAKOTA FARM BUREAU PRESIDENT

Mr. DASCHLE. Mr. President, this week South Dakota Farm Bureau president Richard Ekstrum will step down after 20 years of dedicated service. During those two decades, his service to South Dakota and American agriculture has been immeasurable. I have had the privilege of working with Richard and the Farm Bureau for many years and have appreciated his invaluable advice and thoughtful discussions on farm policies and the future of rural America.

Throughout his 10 consecutive terms as president of the South Dakota Farm Bureau, Richard has been an effective advocate and promoter of free market policies for agriculture. Under his leadership, the South Dakota Farm Bureau has more than doubled its membership, from 4,700 to 10,000 members. He has donated over 100 days per year in service to Farm Bureau. His commitment to advancing the needs of rural America cannot be underestimated.

As a hog producer for 30 years Richard knows full well the rewards and challenges of American agriculture. During his tenure as president, agriculture has undergone tremendous changes. It is the mark of a true leader that he has effectively adapted to those changes and moved his organization forward. He understands the critical needs facing rural communities and the necessary steps we must take to ensure farmers and ranchers remain on the land to produce the food and fiber for our Nation.

Not only has Richard been a successful leader and farmer, but he also has traveled the world as an ambassador for South Dakota and American farmers and ranchers. I am sure the people of the many nations he has visited in his 20 years as Farm Bureau president have been benefited from his experience and expertise.

The South Dakota Farm Bureau will dearly miss the leadership of Richard Ekstrum, as will I. There is no doubt in my mind that he will continue to be an active advocate for South Dakota agriculture. I wish him all the best in his future endeavors and thank him for all his assistance over the years.

THE BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, the skyrocketing Federal debt, now slightly in excess of \$13 billion shy of \$5 trillion, has been fueled for a generation by bureaucratic hot air—sort of like a hot air balloon spinning out of control—which everybody has talked about, but almost nobody even tried to fix. That attitude began to change however, immediately after the November 1994 elections.

The 104th Congress promised to hold true to the Founding Fathers' decree that the executive branch of the U.S. Government should never be able to spend a dime unless and until it had been authorized and appropriated by the U.S. Congress.

So, when the new 104th Congress convened this past January, the U.S. House of Representatives quickly approved a balanced budget amendment to the U.S. Constitution. On the Senate side, all but 1 of the 54 Republican Senators supported the balanced budget amendment.

That was the good news. The bad news was that only 13 Democratic Senators supported it, and that killed the balanced budget amendment for the time being. Since a two-thirds vote—67 Senators, if all Senators are present—is necessary to approve a constitutional amendment, the proposed Senate amendment failed by one vote. There will be another vote during the 104th Congress.

Here is today's bad debt boxscore:

As of the close of business Tuesday, November 14, the Federal debt—down to the penny—stood at exactly \$4,987,139,764,503.11 or \$18,931.27 on a per capita basis for every man, woman, and child.

EPA/OSHA FINDINGS ON PASSIVE SMOKING

Mr. FORD. Mr. President, the Congressional Research Service [CRS] released a long awaited report today that calls into question the validity of claims that passive smoking presents a risk to nonsmokers. It also highlights questions on the validity of the science behind the Environmental Protection Agency's [EPA] and subsequently the Occupational Safety and Health Administration [OSHA] findings on the effects of secondhand smoke. In 1993, the EPA released a report classifying passive smoke a "class A carcinogen." This EPA report has been the basis for numerous actions taken to limit smoking in public places with the most dramatic example being the OSHA proposed smoking ban in all workplaces across the United States.

However, this CRS report, indicates well placed skepticism on the methods used by OSHA to justify the need for such draconian and invasive policies as the one espoused by this agency. CRS also questions the very harm of second hand smoke. It found fault with the EPA's premise that there is no safe level of exposure to passive smoke, and the conclusions that OSHA drew from a limited number of studies, a practice which clearly undercuts the validity of the OSHA findings.

The report released today is but the latest in a series by different high level specialists at CRS. Every report has led to the same conclusion: There is no scientific justification for smoking bans or de facto bans like the one issued by OSHA some months ago. In